

1 CALVIN E. DAVIS (SBN: 101640)  
2 [cdavis@grsm.com](mailto:cdavis@grsm.com)  
3 AARON P. RUDIN (SBN: 223004)  
4 [arudin@grsm.com](mailto:arudin@grsm.com)  
5 REBECCA KRIKORIAN (SBN: 334882)  
6 [rkrikorian@grsm.com](mailto:rkrikorian@grsm.com)  
7 GORDON REES SCULLY MANSUKHANI, LLP  
8 633 West Fifth Street, 52nd Floor  
9 Los Angeles, CA 90071  
10 Telephone: (213) 576-5000  
11 Facsimile: (213) 680-4470

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13 Attorneys for Plaintiff and Counter-Defendant,  
14 GUARDIAN PROTECTION PRODUCTS, INC.  
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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

GUARDIAN PROTECTION PRODUCTS,  
INC., a Delaware corporation,

Plaintiff,

vs.

G.P.P., INC. d/b/a GUARDIAN  
INNOVATIVE SOLUTIONS, a Pennsylvania  
corporation,

Defendant.

G.P.P., INC. d/b/a GUARDIAN  
INNOVATIVE SOLUTIONS, a Pennsylvania  
corporation,

Counterclaimant,

vs.

GUARDIAN PROTECTION PRODUCTS,  
INC., a Delaware corporation,

Counter-defendant.

CASE NO. 1:20-CV-01680-SKO

**STIPULATION AND ORDER TO  
MODIFY SCHEDULING ORDER**

**(Doc. 53)**

Complaint Filed: November 24, 2020  
Counterclaim Filed: February 22, 2021  
Trial: February 25, 2025  
Pre-Trial Conference: December 18, 2024

Pursuant to the Court's modified Scheduling Order [Dkt. No. 51] and L.R. 143,  
Plaintiff/Counter-Defendant Guardian Protection Products, Inc. ("Guardian") and  
Defendant/Counterclaimant G.P.P. Inc. d/b/a Guardian Innovative Solutions ("GIS") hereby  
submit the following stipulation and proposed order to further modify the Scheduling Order.

1        WHEREAS, on April 16, 2021, this Court issued a Scheduling Order [Dkt. No. 30] in  
2 this matter;

3        WHEREAS, on October 14, 2021 the parties submitted a Stipulation and Proposed Order  
4 to modify the scheduling order [Dkt. No. 40], and on October 15, 2021, the Court modified the  
5 Scheduling Order [Dkt. No. 41];

6        WHEREAS, following a week-long trial, on December 13, 2021, this Court issued a final  
7 judgment [Dkt. No. 499] in the related case entitled *G.P.P., Inc. d/b/a Guardian Innovative*  
8 *Solutions v. Guardian Protections Products, Inc., et al.*, Case No. 1:15-cv-00321-SKO (the  
9 “Related Case”);

10       WHEREAS, on February 3, 2022, the parties submitted a Further Stipulation and  
11 Proposed Order to modify the scheduling order based largely on the status of the Related Case  
12 [Dkt. No. 42], and on February 4, 2022, the Court modified the Scheduling Order [Dkt. No. 43];

13       WHEREAS, on April 15, 2022, GIS filed a Notice of Appeal in the Related Case [Dkt.  
14 No. 513];

15       WHEREAS, on April 22, 2022, Guardian filed a Notice of Appeal in the Related Case  
16 [Dkt. No. 516];

17       WHEREAS, on August 3, 2022, the parties submitted a Further Stipulation and Proposed  
18 Order to modify the scheduling order based largely on the status of the Related Case [Dkt. No.  
19 44], and on February 5, 2022, the Court modified the Scheduling Order [Dkt. No. 46];

20       WHEREAS, on January 30, 2023, the parties submitted a Further Stipulation and  
21 Proposed Order to modify the scheduling order based largely on the status of the Related Case  
22 [Dkt. No. 48], and on January 31, 2023, the Court modified the Scheduling Order [Dkt. No. 49];

23       WHEREAS, on July 25, 2023, the Ninth Circuit issued its Mandate in the Related Case;

24       WHEREAS, on August 22, 2023, the parties submitted a Further Stipulation and  
25 Proposed Order to modify the scheduling order [Dkt. No. 50], and on August 24, 2023, the Court  
26 modified the Scheduling Order as follows [Dkt. No. 51]:

27        ///

28        ///

<b>Event</b>	<b>Continued Date</b>
Non-Expert Discovery	May 20, 2024
Expert Disclosures	June 17, 2024
Rebuttal Expert Disclosures	July 15, 2024
Expert Discovery	August 12, 2024
Non-Dispositive Motion Filing	August 12, 2024
Non-Dispositive Motion Hearing	September 18, 2024
Dispositive Motion Filing	September 18, 2024
Dipositive Motion Hearing	October 23, 2024
Deadline to Request Settlement Conference	November 27, 2024
Pretrial Conference	December 18, 2024, at 2:30 p.m.
Trial	February 25, 2025 at 8:30 a.m.

WHEREAS, the parties have propounded and responded to written discovery in this matter and have been producing documents on a rolling basis.

WHEREAS, the parties have been attempting to informally resolve certain discovery disputes without the need of court intervention, and as of the filing of this stipulation, the parties have not completed the discovery process;

WHEREAS, absent an extension, the parties would be required to complete non-expert discovery in less than sixty days pursuant to the modified scheduling order entered on August 24, 2023;

WHEREAS, the parties have previously requested five extensions of time in this matter, with each extension largely premised on the appeal that was pending before the Ninth Circuit in the Related Case;

WHEREAS, the parties have filed cross-appeals of the Court's Order Re Cross Motions for Attorney's Fees which are currently pending in the Related Case;

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1           WHEREAS, the parties believe that the extensions requested herein are reasonable and  
2 necessary in order to provide the parties with adequate time to conduct and complete discovery,  
3 prepare any non-dispositive or dispositive motions, and otherwise prepare for trial without  
4 unnecessarily straining the resources of both parties and their counsel;

5           WHEREAS, the parties do not anticipate they will need to seek any further extensions;

6           ACCORDINGLY, IT IS HEREBY STIPULATED and REQUESTED by the parties that  
7 the Scheduling Order [Dkt. No. 51] be further modified as follows:

Event	Continued Date
Non-Expert Discovery	September 13, 2024
Expert Disclosures	September 27, 2024
Rebuttal Expert Disclosures	October 11, 2024
Expert Discovery	October 25, 2024
Non-Dispositive Motion Filing	October 25, 2024
Non-Dispositive Motion Hearing	December 6, 2024
Dispositive Motion Filing	February 7, 2025
Dispositive Motion Hearing	March 14, 2025
Deadline to Request Settlement Conference	March 21, 2025
Pretrial Conference	March 26, 2025, at 2:30 p.m.
Trial	April 22, 2025 at 8:30 a.m.

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22           IT IS SO STIPULATED.

23           Dated: April 18, 2024

GORDON REES SCULLY MANSUKHANI, LLP

24           By: /s/ Aaron P. Rudin

25           Calvin E. Davis

26           Aaron P. Rudin

27           Rebecca Krikorian

28           Attorneys for Plaintiff and Counter-Defendant  
GUARDIAN PROTECTION PRODUCTS, INC.

1 Dated: April 18, 2024

WILSON SONSINI GOODRICH & ROSATI

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3 By: /s/ Dylan G. Savage

4 Dylan J. Liddiard

5 Dylan G. Savage

6 Attorneys for Defendant and Counter-  
7 Claimant G.P.P., INC. d/b/a GUARDIAN  
8 INNOVATIVE SOLUTIONS  
9 (as authorized on April 16, 2024)

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Gordon Rees Scully Mansukhani LLP  
633 West Fifth Street, 52nd Floor  
Los Angeles, CA 90071

**ORDER**

Finding good cause therefor (*see* Fed. R. Civ. P. 16(b)(4)), the parties' stipulation (Doc. 53) is hereby approved. Accordingly, IT IS HEREBY ORDERED that the case schedule (Doc. 51) is MODIFIED as follows:

<b>Event</b>	<b>Prior Date</b>	<b>Proposed Date</b>
Non-Expert Discovery	May 20, 2024	September 13, 2024
Expert Disclosures	June 17, 2024	September 27, 2024
Rebuttal Expert Disclosures	July 15, 2024	October 11, 2024
Expert Discovery	August 12, 2024	October 25, 2024
Non-Dispositive Motion Filing	August 12, 2024	October 25, 2024
Non-Dispositive Motion Hearing	September 18, 2024	December 4, 2024 <sup>1</sup>
Dispositive Motion Filing	September 18, 2024	February 7, 2025
Dipositive Motion Hearing	October 23, 2024	March 19, 2025 <sup>2</sup>
Deadline to Request Settlement Conference	November 27, 2024	May 14, 2025, or 90 days before trial, whichever is later
Pretrial Conference	December 18, 2024, at 2:30 p.m.	June 18, 2025, at 2:30 p.m. <sup>3</sup>
Trial	February 25, 2025 at 8:40 a.m.	August 12, 2025, at 8:30 a.m. <sup>4</sup>

IT IS SO ORDERED.

Dated: April 18, 2024

/s/ Sheila K. Oberto  
UNITED STATES MAGISTRATE JUDGE

<sup>1</sup> Magistrate Judge Oberto conducts civil law and motion hearings on Wednesdays at 9:30 A.M. The parties' proposed date has been adjusted accordingly.

<sup>2</sup> *Id.*

<sup>3</sup> In order to allow time for the Court to rule on dispositive motions and for the parties to prepare for trial, the parties' proposed date has been continued.

<sup>4</sup> *Id.*